IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

-

WRIT PETITION NO : 14728 of 2005

Between:

G.Pitchaiah, S/o Nageswara Rao,
A.P.State Housing Corporation Limited, Chintalapudi, Eluru Division, West Godavari District.

..... PETITIONER

AND

1. The Andhra Pradesh State Housing Corporation Ltd., rep., by its Managing Director, Urdugalli, Himayatnagar, Hyderabad.
2. The District Collector/Executive Director, A.P.State Housing Corporation Ltd., West Godavari District Branch Eluru, W.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of "writ of mandamus" declaring the proceedings of the 1st respondent in Procds.No.A1/3469/2005, dated 28-6-2005 and the consequential proceedings in Rc.No.1486/2005/C, dt.30-6-2005 of the 2nd respondent, so far as it relates to the petitioner, as illegal, unjust, arbitrary and contrary to law, malafide, capricious and accordingly set aside the same alternatively the respondents be directed to continue me in the West Godavari District.

Counsel for the Petitioner: MR.S.V.MUNI REDDY

Counsel for the Respondents: MR.K.MOHAN RAMI REDDY

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the order of transfer effected under the impugned proceedings dated 28.06.2005 transferring him from West Godavari District to East Godavari District.

According to the petitioner, he has not requested for any transfer and further he has also not completed the minimum period of four years as contemplated under G.O.Ms.No.144, Finance (W & M) Department, dated 07.06.2005, as he was posted on 11.05.2005 only. Therefore, the impugned order of transfer is illegal and without jurisdiction.

The learned counsel for the petitioner, however, at the time of hearing, represented that the since the petitioner has already been relieved, he seeks a direction to the authorities to consider his representation to retain him in West Godavari District as there are vacancies in the posts of Assistant Engineer.

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

In view of the fact that the petitioner's case is not covered by the

order issued by the Government referred to above, the transfer of the petitioner may not be proper and just. However, as the petitioner has already been relieved, he is directed to make a representation to the first respondent for retention or reposting in West Godavari District within a period of ten days from the date of receipt of a copy of this order. If such a representation is made and if there are vacancies in West Godavari District, the first respondent is directed to consider and pass appropriate orders expeditiously, preferably within a period of four weeks from the date of receipt of a copy of the representation.

The writ petition is accordingly disposed of. No costs.

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08.07.2005

Note: Issue CC by 11.07.2005

(b/o)

VGB

To

1. The Managing Director, Andhra Pradesh State Housing Corporation Ltd., Urdugalli, Himayatnagar, Hyderabad.

2. The District Collector/Executive Director, A.P.State Housing Corporation Ltd., West Godavari District Branch Eluru, W.G.District.

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